



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

March 10, 2017

System No.: 2400013

Mr. Chris Kaji, Sr. Corporate EHS Engineer  
Sensient Natural Ingredients, LLC  
P.O. Box 279  
Cressey, CA 95312

### **RE: CITATION NO. 03-11-17C-016, Source Flow Meter**

Enclosed is a Citation issued to the Sensient Natural Ingredients (hereinafter "Water System") public water system.

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Board") hourly rate (currently estimated at \$161.00) for the time spent on issuing this Citation. California Health and Safety Code, Section 116577, provides that a public water system must reimburse the State Board for actual costs incurred by the State Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Board has spent approximately 2.0 hour(s) on enforcement activities associated with this violation.

The Water System will receive a bill sent from the State Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the District for the current fiscal year.

If you have any questions regarding this matter, please contact Shavonne Stallworth of my staff at 559-447-3300 or me at 559-447-3316.

Sincerely,

Kassy D. Chauhan, P.E.  
Senior Sanitary Engineer, Merced District  
Central California Section  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

Enclosures

Certified Mail No.: 7016 1370 0000 0455 3222

cc: Tom Galindo, Contract Operator  
Merced County Environmental Health Department

**STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER**

IN RE: **SENSIENT NATURAL INGREDIENTS  
WATER SYSTEM NO. 2410013**

TO: Mr. Chris Kaji, Sr. Corporate EHS Engineer  
P.O. Box 279  
Cressey, CA 95312

CC: Merced County Environmental Health Department

**CITATION FOR VIOLATION OF  
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64561  
Source Flow Meters**

**Issued on March 10, 2017**

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Sensient Natural Ingredients Water System (hereinafter "Water System") (P.O. Box 279, Cressey, CA 95312) for violation of California Code of Regulations (CCR), Title 22, Section 64561.

**APPLICABLE AUTHORITIES**

1 The applicable statutes and regulations are provided in Appendix A, attached hereto and  
2 incorporated by reference.

### 3 4 **STATEMENT OF FACTS**

5 The Water System is a nontransient-noncommunity water system serving a population of  
6 approximately 100 persons per day through two (2) service connections. Effective April 1, 2014,  
7 the Merced County Department of Environmental Health transferred the jurisdictional regulatory  
8 oversight for this water system to the Division. The Division is in the process of issuing a water  
9 supply permit to the Water System. The Division issued a permit letter with action items  
10 following the sanitary survey conducted on March 15, 2015, (Appendix B).

11  
12 The Division conducted a sanitary survey of the Water System on March 15, 2015, and observed  
13 that a flow meter was installed on the discharge piping from Well No. 2, however, it was not  
14 operational at the time of the sanitary survey. The Division noted the need to install an  
15 operational totalizing flow meter at a point between the source and the entry point to the  
16 distribution system and submit photo documentation to the Division by June 30, 2015. In  
17 addition, the System was required to begin recording monthly well production quantities on at  
18 least a monthly basis and reporting those quantities to the Division annually via the electronic  
19 Annual Report to the Drinking Water Program (e-ARDWP). Despite the Division's efforts to  
20 inform the Water System of the requirements to install a flow meter and record the total monthly  
21 water production, the Water System has failed to install the flow meter and begin reporting the  
22 monthly production from Well No. 2 annually to the Division.

### 23 24 25 **DETERMINATION**

26 Title 22, CCR, Section 64561, Source Flow Meters provides that each water system shall install  
27 a flow meter at a location between each water source and the entry point to the distribution



1 system and meter the quantity of water flow from each source, and record the total monthly  
2 production each month.

3  
4 The Division has determined that the Water System failed to comply with Title 22, CCR, Section  
5 64561, Source Flow Meters by failing to install a flow meter at Well No. 2 and for failure to meter  
6 the quantity of water flow from each source and record the total monthly production each month.

### 7 8 **ADMINISTRATIVE PENALTIES**

#### 9 10 **Pursuant to CHSC Section 116650**

11 Sections 116650(a) of the CHSC allows for the issuance of a citation for failure to comply with  
12 the requirements of the California Safe Drinking Water Act, or any regulation, permit, standard,  
13 citation, or order issued thereunder. Section 116650(d) and (e) allow for the assessment of a  
14 penalty not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurs.

15  
16 Despite the Division's efforts to work with the Water System, the Water System has failed to  
17 comply with Section 64561. Therefore, the Division hereby assesses an administrative penalty  
18 of one thousand and five hundred dollars (\$1,500) upon Water System. Directive No. 5 below  
19 describes the requirements for payment of the Penalty and conditions under which the Division  
20 may waive the requirement to pay the penalty.

### 21 22 **DIRECTIVES**

23 The Water System is hereby directed to take the following actions:

- 24  
25 1. On or before March 31, 2017, submit a written response to the Division indicating its  
26 willingness to comply with the directives of this citation.

- 1           2.     On or before May 31, 2017, install a source flow meter on Well No. 2 at a point  
2                 between the source and the entry point to the distribution system per Section 64561.  
3
- 4           3.     On or before May 31, 2017, submit photo documentation to the Division showing the  
5                 installation of the flow meter on the Well No. 2 at a point between the source and the  
6                 entry point to the distribution system in accordance with Section 64561.  
7
- 8           4.     Beginning in June 2017 or before, record the total production from each active  
9                 source a minimum of monthly and report the total monthly production to the Division  
10                annually via the Electronic Annual Report.  
11
- 12          5.     Pay the Penalty of one thousand and five hundred dollars (\$1,500) within 90 days of  
13                 the receipt of this Citation. Payment shall be made payable to the State Water  
14                 Resources Control Board – Division of Drinking Water. Further instruction on the  
15                 payment is provided in Appendix C, Notice of Citation Issuance.  
16
- 17                 If the Water System complies with Directives 1, 2, 3, and 4 before the Penalty  
18                 becomes due, and upon written request from the Water System, the Division will  
19                 *consider, at its sole discretion*, terminating the requirement to pay the penalty.  
20
- 21          6.     If the Water System is unable to perform the tasks specified in this citation for any  
22                 reason, whether within or beyond its control, and if the Water System notifies the  
23                 Division in writing no less than five days in advance of the due date, the Division may  
24                 extend the time for performance if the Water System demonstrates that it has used  
25                 its best efforts to comply with the schedule and other requirements of this citation.  
26  
27

1 The Division reserves the right to make such modifications to the Citation as it may deem  
2 necessary to protect public health and safety. Such modifications may be issued as  
3 amendments to this Citation and shall be effective upon issuance.

4  
5 Nothing in this Citation relieves the Water System of its obligation to meet the requirements of  
6 the California Safe Drinking Water Act or any regulation, standard, permit or order issued  
7 thereunder.

8  
9 All submittal required by this Citation shall be submitted to the Division at the following address:

10  
11 Kassy D. Chauhan, P.E.  
12 Senior Sanitary Engineer  
13 State Water Resources Control Board  
14 Division of Drinking Water  
15 265 W. Bullard Avenue, Suite 101  
16 Fresno, CA 93704

#### 17 **PARTIES BOUND**

18 This Citation shall apply to and be binding upon the Sensient Natural Ingredients Water System,  
19 its officers, directors, agents, employees, contractors, successors, and assignees.

#### 20 **SEVERABILITY**

21 The Directives of this Citation are severable, and the Water System shall comply with each and  
22 every provision thereof notwithstanding the effectiveness of any provision.


#### 23 **FURTHER ENFORCEMENT ACTION**

24 The California SDWA authorizes the Board to: issue citation with assessment of administrative  
25 penalties to a public water system for violation or continued violation of the requirements of the  
26 California SDWA or any permit, regulation or order issued or adopted thereunder including, but  
27 not limited to, failure to correct a violation identified in a citation or compliance order. The



1 California SDWA also authorizes the Board to take action to suspend or revoke a permit that has  
2 been issued to a public water system if the system has violated applicable law or regulations or  
3 has failed to comply with an order of the Board; and to petition the superior court to take various  
4 enforcement measures against a public water system that has failed to comply with an order of  
5 the Board. The Board does not waive any further enforcement action by issuance of this citation.  
6  
7  
8

9 3-10-2017  
Date

  
Carl L. Carlucci, P.E.  
Supervising Senior Sanitary Engineer,  
Central California Region  
DRINKING WATER FIELD OPERATIONS BRANCH

12 **CERTIFIED NO.: 7016 1370 0000 0455 3222**

14 **CLC/KDC/Citation/no flow meter**

15 **Appendices:**

16 Appendix A: Applicable Authorities  
17 Appendix B: Permit Letter  
18 Appendix C: Notice of Citation Issuance  
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20  
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26  
27



## **APPENDIX A**

### **Applicable Statutes and Regulations for Citation No. 03-12-17C-XXX**

#### **Section 116650 of the CHSC states in relevant part:**

##### **§116650. Citations**

- (a) If the Division determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the Division may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- (e) The Division may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

#### **Section 64561 of Title 22, California Code of Regulations states in relevant part:**

##### **§64561. Source Flow Meters.**

Each water system shall:

- (a) Except for inactive sources, install a flow meter at a location between each water source and the entry point to the distribution system;
- (b) Meter the quantity of water flow from each source, and record the total monthly production each month.



State Water Resources Control Board  
Division of Drinking Water

April 21, 2015  
System No.: 2400013

Mr. Chris Kaji  
Sensient Natural Ingredients  
P.O. Box 279  
Cressey, CA 95312

**RE: 2015 Water System Inspection Action Items**

Dear Mr. Kaji:

On March 18, 2015, Ms. Shavonne Stallworth and I met with you to inspect the Sensient Natural Ingredients (Water System) water system. The purpose of this letter is to inform you of items requiring action which were noted during the inspection and subsequent water quality review prior to issuing a Domestic Water Supply Permit by the State Water Resources Control Board, Division of Drinking Water. The following items need to be addressed by the Water System:

1. Well No. 2 is equipped with a flow meter; however, the flow meter was not operational at the time of the inspection. By **June 30, 2015**, the Water System must replace the nonoperational flow meter with a flow meter that is equipped with a totalizer. The flow meter should be placed at a location between the wellhead and the entry point to the distribution system as required in the California Waterworks Standards. Photo documentation needs to be submitted as proof of completion.
2. The Water System needs to track the water production by reading the flow meter monthly beginning **July 1, 2015**. The monthly production needs to be submitted on the 10<sup>th</sup> day of the following month (August 10, 2015).
3. The Water System needs to draft a drought contingency plan, as the Water System only has one active source to supply potable water. The plan should outline the measures that would be taken to ensure that in case Well No. 2 is not able to supply all System demand, a water outage would not be experienced.

The assistance provided to Shavonne Stallworth and I during the field inspection and the preparation of the inspection letter is appreciated. As mentioned above, a domestic water supply permit will be issued following the completion of a more extensive evaluation of the System file and water quality.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR



April 21, 2015

If you have any questions regarding this matter, please contact Shavonne Stallworth at (559) 447-3306.

Sincerely,

A handwritten signature in cursive script that reads "Kassy D. Chauhan".

Kassy D. Chauhan, P.E.  
Senior Sanitary Engineer  
Central California Region  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

Enclosures

Cc: Merced County Environmental Health Department





**DRINKING WATER FIELD OPERATIONS BRANCH**

**NOTICE OF CITATION ISSUANCE  
PENALTY**

**BACKGROUND STATEMENT**

The State Water Resources Control Board, Division of Drinking Water, issued **Citation No. 03-11-17C-016** for the **Sensient Natural Ingredients** (Public Water System No. **2400013**).

This Citation carries a penalty of \$1,500.00 (one thousand and five hundred dollars).

**METHOD OF PAYMENT**

Within 90 days of receipt of this Citation, submit a check in the amount of \$1,500.00 made payable to:

**SWRCB – Division of Drinking Water**

and mail to:

**SWRCB Accounting Office  
ATTN: Drinking Water Program Fees  
P.O. Box 1888  
Sacramento, CA 95812-1888**

(Please indicate the Citation Number on the Check)

(Attach Check Here)